IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:	)	
	)	
Rycharde Jeffery Hawkes, *et al.*	)	Confirmation No: 5467
	)	
Serial No.: 10/695,549	)	Group Art Unit: 2121
	)	
Filed: October 28, 2003	)	Examiner: Stevens, Thomas H.
	)	
For: Simulation at Two Different Levels of Complexity	)	
	)	Atty. Docket No.: 30018432-2

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

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P.O. Box 1450
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Sir:

This Appeal Brief under 37 C.F.R. § 41.37 is submitted in support of the Notice of Appeal filed September 23, 2009, responding to the Final Office Action mailed July 28, 2009.

It is not believed that extensions of time or fees are required to consider this Appeal Brief. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account No. 08-2025.

I. Real Party in Interest

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

II. Related Appeals and Interferences

There are no known related appeals or interferences that will affect or be affected by a decision in this Appeal.

III. Status of Claims

Claims 1, 3-5, 8-11, and 13-14 stand finally rejected. Claims 2, 6-7, and 12 have been canceled. The final rejections of claims 1, 3-5, 8-11, and 13-14 are appealed.

IV. Status of Amendments

No amendments have been made subsequent to the Final Office Action mailed July 28, 2009. The claims in the attached Claims Appendix (see below) reflect the present state of Applicants' claims.

V. Summary of Claimed Subject Matter

The claimed inventions are summarized below with reference numerals and references to the written description ("specification") and drawings. The subject matter described in the following appears in the original disclosure at least where indicated, and may further appear in other places within the original disclosure.

Embodiments according to independent claim 1 describe a method of simulating a creature for use in two different complexities of simulation. Applicants' specification, page 3, lines 11-13. The method comprises utilizing a model of the creature that comprises at least two portions. Applicants' specification, page 3, lines 14-15. The at least two portions comprises a first portion which contains functions for use in both of the different complexities of simulation, Applicants' specification, page 3, lines 15-16, and a second portion comprising two alternative versions. Applicants' specification, page 3, line 7. The two alternative versions comprises a first version for use in one of the different complexities of simulation, wherein the first version utilizes a neural network, Applicants' specification, page 3, lines 18-19 and page 7, lines 5-9, and a second version for use in the other of the different complexities of simulation. Applicants' specification, page 3, lines 19-20 and page 6, lines 28-33. The first portion comprises a behavior selection mechanism arranged to select the behavior of the creature, Applicants' specification, page 6, lines 17-21, and the second portion is arranged to execute the selected behavior. Applicants' specification, page 6, lines 27-28.

Embodiments according to independent claim 9 describe a method of simulating activities of a plurality of creatures. Such a method comprises utilizing at least two

modes of simulation. Applicants' specification, page 5, lines 30-32 and page 7, lines 19-23. The at least two modes of simulation comprising a first mode arranged to simulate the activities of all of the creatures and a second mode arranged to simulate an activity of at least one of the creatures at a more detailed computational level of complexity than the first mode. Applicants' specification, page 7, lines 1-17. A model of a creature simulated in both modes of simulation comprises at least two portions. Applicants' specification, page 3, lines 14-15. The at least two portions comprises a first portion which contains functions arranged for use in both of the modes of simulation and a second portion comprising two alternative versions--a first version for use in the first mode of simulation and a second version for use in the second mode when selected for closer inspection of the at least one creature being simulated. Applicants' specification, page 3, lines 15-20, page 6, lines 28-33, and page 7, lines 5-9.

Embodiments according to independent claim 10 describe a method of simulating a process at two different levels of complexity. Applicants' specification, page 3, lines 11-13. Such a method comprises utilizing a model that comprises at least two portions. Applicants' specification, page 3, lines 14-15. The at least two portions comprises a first portion which contains functions for use in both of the different complexities of simulation and a second portion comprising two alternative versions. Applicants' specification, page 3, line 7. A first version is for use in one of the different levels of complexities of simulation when selected for closer inspection of the process being simulated, Applicants' specification, page 3, lines 18-19 and page 7, lines 5-9, and a second version is for use in the other of the different levels of complexities of simulation, wherein the second version is for use in the less complex level of the

simulations, and is arranged to approximate the functionality of the first version. Applicants' specification, page 3, lines 19-20 and page 6, lines 28-33.

Embodiments according to independent claim 14 describe a simulator device arranged to simulate a creature in two different levels of complexities of simulation. Applicants' specification, page 12, lines 14-18. The device is arranged to utilize a model of the creature that comprises at least two portions. Applicants' specification, page 3, lines 14-15. A first portion contains functions used in both of the different levels of complexities of simulation, Applicants' specification, page 3, lines 15-16, and a second portion comprises two alternative versions. Applicants' specification, page 3, line 7. A first version is used in one of the different levels of complexities of simulation when selected for closer inspection of the process being simulated, Applicants' specification, page 3, lines 18-19 and page 7, lines 5-9, and a second version is used in the other of the different levels of complexities of simulation. Applicants' specification, page 3, lines 19-20 and page 6, lines 28-33. Further, the second version is for use in the less complex of the simulations and is arranged to approximate the functionality of the first version. Applicants' specification, page 6, lines 30-33.

VI. Grounds of Rejection to be Reviewed on Appeal

The following grounds of rejections are to be reviewed on appeal:

Claims 1, 3-5, and 8 have been rejected under 35 U.S.C. §102(b) as being anticipated by *Perlin* (U.S. Patent No. 6,285,380); and

Claims 9-11 and 13-14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Perlin* in view of Official Notice.

VII. Arguments

A. Response to Rejection of Claims under 35 U.S.C. §102

Claims 1, 3-5, and 8 have been rejected under 35 U.S.C. §102(b) as being anticipated by *Perlin* (U.S. Patent No. 6,285,380). Appellants submit the rejection should be overturned for at least the following reasons.

As provided in independent claim 1, Applicants claim:

> A method of simulating a creature for use in two different complexities of simulation, the method comprising:
> ***utilizing a model of the creature that comprises at least two portions:***
> ***a first portion which contains functions for use in both of said different complexities of simulation; and***
> ***a second portion comprising two alternative versions:***
> ***a first version for use in one of said different complexities of simulation, wherein the first version utilizes a neural network; and***
> ***a second version for use in the other of said different complexities of simulation,***
> ***wherein said first portion comprises a behavior selection mechanism arranged to select the behavior of said creature and said second portion is arranged to execute the selected behavior***.

(Emphasis added).

Appellants respectfully submit that independent claim 1 is allowable for at least the reason that *Perlin* does not disclose, teach, or suggest at least "utilizing a model of the creature that comprises at least two portions: a first portion which contains functions for use in both of said different complexities of simulation; and a second portion comprising two alternative versions: a first version for use in one of said different complexities of simulation, wherein the first version utilizes a neural network; and a second version for use in the other of said different complexities of simulation, wherein said first portion comprises a behavior selection mechanism arranged to select the

behavior of said creature and said second portion is arranged to execute the selected behavior," as emphasized above.

Rather, *Perlin* describes a system for the creation of real-time, behavior-based animated actors. The system includes two subsystems: an Animated Engine and a Behavior Engine. In the system, "All communication between participant processes is done by continually sending and receiving programs around the network. . . . In an exemplary embodiment, each actor maintains a complete copy of the blackboard information for all actors. If an actor's behavior state changes between the beginning and end of a time step, the changes are routed to all other actors. . . . In an exemplary embodiment, the Behavior Engine and the Animation Engine for an actor can be split across a WAN. The Behavior and Animation Engines can communicate with each other through the blackboard. For the DOFs produced by the Animation Engine, the blackboard is allowed to contain different values at each LAN. For the states produced by the Behavior Engine, the actor maintains a single global blackboard." Col. 15, lines 34-67.

"Computationally, the Behavior Engine for each actor runs at only a single LAN, whereas the Animation Engine runs at each LAN. When two characters must physically coordinate with each other, they use the local versions of their DOFs. In this way, an actor is always in a single Behavioral State everywhere on the WAN, even though at each LAN he might appear to be in a slightly different position. In a sense, the actor has one mind, but multiple bodies." Col. 16, lines 1-8.

Accordingly, *Perlin* describes that actions of an actor on different LANs may not be completely in sync with one another, since each LAN has its own Animation Engine

performing the actions. The Animation Engines are all at the same level of complexity in *Perlin* and are not used based on complexities of simulation. As such, *Perlin* does not disclose different levels of complexities of simulation where a second portion of a model uses a first version for use in one level of complexity of simulation and a second version for use in another level of complexity of simulation. Rather, *Perlin* discloses that implementation of the same action by two different Animation Engines may not be performed exactly the same, although they are at the same complexity level.

As a result, *Perlin* fails to teach or suggest at least "utilizing a model of the creature that comprises at least two portions: a first portion which contains functions for use in both of said different complexities of simulation; and a second portion comprising two alternative versions: a first version for use in one of said different complexities of simulation, wherein the first version utilizes a neural network; and a second version for use in the other of said different complexities of simulation, wherein said first portion comprises a behavior selection mechanism arranged to select the behavior of said creature and said second portion is arranged to execute the selected behavior," as recited in claim 1.

For at least these reasons, *Perlin* does not teach or suggest all of the features of claim 1, and the rejection of claim 1 should be overturned. Dependent claims 3-5 and 8 are allowable as a matter of law for at least the reason that dependent claims 3-5 and 8 contain all the features of allowable independent claim 1. For at least this reason, the rejections of claims 3-5 and 8 should also be overturned.

B. Response to Rejection of Claims under 35 U.S.C. §103

Claims 9-11 and 13-14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Perlin* in view of Official Notice. Appellants submit the rejection should be overturned for at least the following reasons.

1. Applicants' Claim 9

As provided in independent claim 9, Applicants claim:

> A method of simulating activities of a plurality of creatures, the method comprising utilizing at least two modes of simulation:
> a first mode arranged to simulate the activities of all of said creatures; and
> a second mode arranged to simulate an activity of at least one of said creatures at a more detailed computational level of complexity than said first mode, wherein a model of a creature simulated in both modes of simulation comprises at least two portions:
> ***a first portion which contains functions arranged for use in both of said modes of simulation; and***
> ***a second portion comprising two alternative versions, a first version for use in said first mode of simulation, and a second version for use in the second mode when selected for closer inspection of the at least one creature being simulated***.

(Emphasis added).

Appellants respectfully submit that independent claim 9 is allowable for at least the reason that *Perlin* in view of Official Notice does not disclose, teach, or suggest at least "a first portion which contains functions arranged for use in both of said modes of simulation; and a second portion comprising two alternative versions, a first version for use in said first mode of simulation, and a second version for use in the second mode when selected for closer inspection of the at least one creature being simulated," as emphasized above.

Rather, *Perlin* describes a system for the creation of real-time, behavior-based animated actors. The system includes two subsystems: an Animated Engine and a Behavior Engine. In the system, "All communication between participant processes is done by continually sending and receiving programs around the network. . . . In an exemplary embodiment, each actor maintains a complete copy of the blackboard information for all actors. If an actor's behavior state changes between the beginning and end of a time step, the changes are routed to all other actors. . . . In an exemplary embodiment, the Behavior Engine and the Animation Engine for an actor can be split across a WAN. The Behavior and Animation Engines can communicate with each other through the blackboard. For the DOFs produced by the Animation Engine, the blackboard is allowed to contain different values at each LAN. For the states produced by the Behavior Engine, the actor maintains a single global blackboard." Col. 15, lines 34-67.

"Computationally, the Behavior Engine for each actor runs at only a single LAN, whereas the Animation Engine runs at each LAN. When two characters must physically coordinate with each other, they use the local versions of their DOFs. In this way, an actor is always in a single Behavioral State everywhere on the WAN, even though at each LAN he might appear to be in a slightly different position. In a sense, the actor has one mind, but multiple bodies." Col. 16, lines 1-8.

Accordingly, *Perlin* describes that actions of an actor on different LANs may not be completely in sync with one another, since each LAN has its own Animation Engine performing the actions. The Animation Engines are all at the same level of complexity in *Perlin* and are not used based on complexities of simulation. As such, *Perlin* does

not disclose different levels of complexities of simulation where a second portion of a model uses a first version for use in one level of complexity of simulation and a second version for use in another level of complexity of simulation. Rather, *Perlin* discloses that implementation of the same action by two different Animation Engines may not be performed exactly the same, although they are at the same complexity level.

As a result, *Perlin* fails to teach or suggest at least "a first portion which contains functions arranged for use in both of said modes of simulation; and a second portion comprising two alternative versions, a first version for use in said first mode of simulation, and a second version for use in the second mode [being at a more detailed computational level of complexity than said first mode] when selected for closer inspection of the at least one creature being simulated," as recited in claim 9.

The Examiner takes Official Notice of "selected for closer inspection of the at least one creature being simulated," since "one of ordinary skill in the art in simulation would have the ability to view specific segments of a simulate result." Page 6 of Final Office Action. While Appellants do not admit to this finding, the rejection does not address or suggest that the prior art teaches using a second version "in the second mode when selected for closer inspection of the at least one creature being simulated," as recited in claim 9. As such, the alleged finding of Official Notice does not remedy the deficiencies of *Perlin*.

For at least these reasons, the rejection is improper and *Perlin* in view of Official Notice does not teach or suggest all of the features of claim 9, and the rejection of claim 9 should be overturned.

2. Applicants' Claim 10-11 and 13

As provided in independent claim 10, Applicants claim:

> A method of simulating a process at two different levels of complexity, the method comprising:
> utilizing a model that comprises at least two portions:
> a first portion which contains functions for use in both of said different complexities of simulation; and
> ***a second portion comprising two alternative versions:***
> ***a first version for use in one of said different levels of complexities of simulation when selected for closer inspection of the process being simulated; and***
> ***a second version for use in the other of said different levels of complexities of simulation, wherein the second version is for use in the less complex level of the simulations, and is arranged to approximate the functionality of the first version***.

(Emphasis added).

Appellants respectfully submit that independent claim 10 is allowable for at least the reason that *Perlin* in view of Official Notice does not disclose, teach, or suggest at least "a second portion comprising two alternative versions: a first version for use in one of said different levels of complexities of simulation when selected for closer inspection of the process being simulated; and a second version for use in the other of said different levels of complexities of simulation, wherein the second version is for use in the less complex level of the simulations, and is arranged to approximate the functionality of the first version," as emphasized above.

Rather, *Perlin* describes a system for the creation of real-time, behavior-based animated actors. The system includes two subsystems: an Animated Engine and a Behavior Engine. In the system, "All communication between participant processes is done by continually sending and receiving programs around the network. . . . In an exemplary embodiment, each actor maintains a complete copy of the blackboard

information for all actors. If an actor's behavior state changes between the beginning and end of a time step, the changes are routed to all other actors. . . . In an exemplary embodiment, the Behavior Engine and the Animation Engine for an actor can be split across a WAN. The Behavior and Animation Engines can communicate with each other through the blackboard. For the DOFs produced by the Animation Engine, the blackboard is allowed to contain different values at each LAN. For the states produced by the Behavior Engine, the actor maintains a single global blackboard." Col. 15, lines 34-67.

"Computationally, the Behavior Engine for each actor runs at only a single LAN, whereas the Animation Engine runs at each LAN. When two characters must physically coordinate with each other, they use the local versions of their DOFs. In this way, an actor is always in a single Behavioral State everywhere on the WAN, even though at each LAN he might appear to be in a slightly different position. In a sense, the actor has one mind, but multiple bodies." Col. 16, lines 1-8.

Accordingly, *Perlin* describes that actions of an actor on different LANs may not be completely in sync with one another, since each LAN has its own Animation Engine performing the actions. The Animation Engines are all at the same level of complexity in *Perlin* and are not used based on complexities of simulation. As such, *Perlin* does not disclose different levels of complexities of simulation where a second portion of a model uses a first version for use in one level of complexity of simulation and a second version for use in another level of complexity of simulation. Rather, *Perlin* discloses that implementation of the same action by two different Animation Engines may not be performed exactly the same, although they are at the same complexity level.

As a result, *Perlin* fails to teach or suggest "a second portion comprising two alternative versions: a first version for use in one of said different levels of complexities of simulation when selected for closer inspection of the process being simulated; and a second version for use in the other of said different levels of complexities of simulation, wherein the second version is for use in the less complex level of the simulations, and is arranged to approximate the functionality of the first version," as recited in claim 10.

The Examiner takes Official Notice of "selected for closer inspection of the process being simulated," since "one of ordinary skill in the art in simulation would have the ability to view specific segments of a simulate result." Page 6 of Final Office Action. While Appellants do not admit to this finding, the rejection does not address or suggest that the prior art teaches "a first version for use in one of said different levels of complexities when selected for closer inspection of the process being simulated," as recited in claim 10. As such, the alleged finding of Official Notice does not remedy the deficiencies of *Perlin*.

For at least these reasons, the rejection is improper and *Perlin* in view of Official Notice does not teach or suggest all of the features of claim 10, and the rejection of claim 10 should be overturned. Dependent claims 11 and 13 are allowable as a matter of law for at least the reason that dependent claims 11 and 13 contain all the features of allowable independent claim 10. For at least this reason, the rejections of claims 11 and 13 should also be overturned.

3. Applicants' Claim 14

As provided in independent claim 14, Applicants claim:

> A simulator device arranged to simulate a creature in two different levels of complexities of simulation, the device being arranged to utilise a model of the creature that comprises at least two portions:
>
> a first portion which contains functions used in both of said different levels of complexities of simulation; and
>
> ***a second portion comprising two alternative versions, a first version used in one of said different levels of complexities of simulation when selected for closer inspection of the process being simulated, and second version used in the other of said different levels of complexities of simulation, wherein the second version is for use in the less complex of the simulations, and is arranged to approximate the functionality of the first version***.

(Emphasis added).

Appellants respectfully submit that independent claim 14 is allowable for at least the reason that *Perlin* in view of Official Notice does not disclose, teach, or suggest at least a "a second portion comprising two alternative versions, a first version used in one of said different levels of complexities of simulation when selected for closer inspection of the process being simulated, and second version used in the other of said different levels of complexities of simulation, wherein the second version is for use in the less complex of the simulations, and is arranged to approximate the functionality of the first version," as emphasized above.

Rather, *Perlin* describes a system for the creation of real-time, behavior-based animated actors. The system includes two subsystems: an Animated Engine and a Behavior Engine. In the system, "All communication between participant processes is done by continually sending and receiving programs around the network. . . . In an exemplary embodiment, each actor maintains a complete copy of the blackboard information for all actors. If an actor's behavior state changes between the beginning

and end of a time step, the changes are routed to all other actors. . . . In an exemplary embodiment, the Behavior Engine and the Animation Engine for an actor can be split across a WAN. The Behavior and Animation Engines can communicate with each other through the blackboard. For the DOFs produced by the Animation Engine, the blackboard is allowed to contain different values at each LAN. For the states produced by the Behavior Engine, the actor maintains a single global blackboard." Col. 15, lines 34-67.

"Computationally, the Behavior Engine for each actor runs at only a single LAN, whereas the Animation Engine runs at each LAN. When two characters must physically coordinate with each other, they use the local versions of their DOFs. In this way, an actor is always in a single Behavioral State everywhere on the WAN, even though at each LAN he might appear to be in a slightly different position. In a sense, the actor has one mind, but multiple bodies." Col. 16, lines 1-8.

Accordingly, *Perlin* describes that actions of an actor on different LANs may not be completely in sync with one another, since each LAN has its own Animation Engine performing the actions. The Animation Engines are all at the same level of complexity in *Perlin* and are not used based on complexities of simulation. As such, *Perlin* does not disclose different levels of complexities of simulation where a second portion of a model uses a first version for use in one level of complexity of simulation and a second version for use in another level of complexity of simulation. Rather, *Perlin* discloses that implementation of the same action by two different Animation Engines may not be performed exactly the same, although they are at the same complexity level.

As a result, *Perlin* fails to teach or suggest "a second portion comprising two alternative versions, a first version used in one of said different levels of complexities of simulation when selected for closer inspection of the process being simulated, and second version used in the other of said different levels of complexities of simulation, wherein the second version is for use in the less complex of the simulations, and is arranged to approximate the functionality of the first version," as recited in claim 14.

The Examiner takes Official Notice of "selected for closer inspection of the process being simulated," since "one of ordinary skill in the art in simulation would have the ability to view specific segments of a simulate result." Page 6 of Final Office Action. While Appellants do not admit to this finding, the rejection does not address or suggest that the prior art teaches "a first version used in one of said different levels of complexities of simulation when selected for closer inspection of the process being simulated," as recited in claim 14. As such, the alleged finding of Official Notice does not remedy the deficiencies of *Perlin*.

For at least these reasons, the rejection is improper and *Perlin* in view of Official Notice does not teach or suggest all of the features of claim 14, and the rejection of claim 14 should be overturned.

VIII. Conclusion

In summary, it is Appellants' position that Applicants' claims are patentable over the applied cited art references and that the rejection of these claims should be overturned. Appellant therefore respectfully requests that the Board of Appeals overturn the Examiner's rejection and allow Applicants' pending claims.

Respectfully submitted,

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Claims Appendix under 37 C.F.R. § 41.37(c)(1)(viii)

The following are the claims that are involved in this Appeal.

1. A method of simulating a creature for use in two different complexities of simulation, the method comprising:

utilizing a model of the creature that comprises at least two portions:

a first portion which contains functions for use in both of said different complexities of simulation; and

a second portion comprising two alternative versions:

a first version for use in one of said different complexities of simulation, wherein the first version utilizes a neural network; and

a second version for use in the other of said different complexities of simulation,

wherein said first portion comprises a behavior selection mechanism arranged to select the behavior of said creature and said second portion is arranged to execute the selected behavior.

2. Canceled

3. A method as claimed in claim 2, wherein said behavior selection mechanism is arranged to select the behavior based upon at least one of:

the current behavioral state;

one or more internal state variables of the creature;

the environment surrounding the creature; and

one or more sensory inputs to said creature.

4. A method as claimed in claim 2, wherein said behavior selection mechanism consists of a set of mutually exclusive behavioral states.

5. A method as claimed in claim 1, wherein the second version is for use in the less complex of the simulations, and is arranged to approximate the functionality of the first version.

6-7. Canceled

8. A method as claimed in claim 1, wherein the first version utilizes a three dimensional physical simulation of an animat, and the second version utilizes a parameterized model of the animat to approximate movement.

9. A method of simulating activities of a plurality of creatures, the method comprising utilizing at least two modes of simulation:

a first mode arranged to simulate the activities of all of said creatures; and

a second mode arranged to simulate an activity of at least one of said creatures at a more detailed computational level of complexity than said first mode, wherein a model of a creature simulated in both modes of simulation comprises at least two portions:

a first portion which contains functions arranged for use in both of said modes of simulation; and

a second portion comprising two alternative versions, a first version for use in said first mode of simulation, and a second version for use in the second mode when selected for closer inspection of the at least one creature being simulated.

10. A method of simulating a process at two different levels of complexity, the method comprising:

utilizing a model that comprises at least two portions:

a first portion which contains functions for use in both of said different complexities of simulation; and

a second portion comprising two alternative versions:

a first version for use in one of said different levels of complexities of simulation when selected for closer inspection of the process being simulated; and

a second version for use in the other of said different levels of complexities of simulation, wherein the second version is for use in the less complex level of the simulations, and is arranged to approximate the functionality of the first version.

11. A method as claimed in claim 10, further comprising evaluating one or more conditions to determine a result of a rule for selecting which of the two alternative versions of the second portion to use in simulating the process.

12. Canceled

13. A method as claimed in claim 10, wherein the first version utilizes a neural network.

14. A simulator device arranged to simulate a creature in two different levels of complexities of simulation, the device being arranged to utilise a model of the creature that comprises at least two portions:

a first portion which contains functions used in both of said different levels of complexities of simulation; and

a second portion comprising two alternative versions, a first version used in one of said different levels of complexities of simulation when selected for closer inspection of the process being simulated, and second version used in the other of said different levels complexities of simulation, wherein the second version is for use in the less complex of the simulations, and is arranged to approximate the functionality of the first version.

Evidence Appendix under 37 C.F.R. § 41.37(c)(1)(ix)

There is no extrinsic evidence to be considered in this Appeal. Therefore, no evidence is presented in this Appendix.

Related Proceedings Appendix under 37 C.F.R. § 41.37(c)(1)(x)

There are no related proceedings to be considered in this Appeal. Therefore, no such proceedings are identified in this Appendix.